

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, )  
                                )  
Plaintiff,                 )                           8:16CR258  
                                )  
vs.                         )  
                                )  
JOHN NUNO,                 )                           ORDER  
                                )  
Defendant.                 )

This matter is before the court on defendant's unopposed Motion to Continue Trial [23]. Counsel needs addition time thoroughly review the discover and confer with his client. Counsel has indicated that defendant will comply with NECrimR 12.1(a). For good cause shown,

**IT IS ORDERED** that the Motion to Continue Trial [23] is granted as follows:

1. The jury trial now set for December 6, 2016 is continued to **February 7, 2017**.
2. The defendant shall file the affidavit required by paragraph 9 of the progression order and NE.CrimR 12.1(a) forthwith.
3. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and February 7, 2017**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

**DATED December 2, 2016.**

**BY THE COURT:**

**s/ F.A. Gossett, III**  
**United States Magistrate Judge**